

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

630 Camp Street, New Orleans, LA 70130  
Mailing Address: Post Office Box 30250, New Orleans, LA 70190-0250  
[www.lsbme.la.gov](http://www.lsbme.la.gov)



Department of Investigations  
Telephone: (504) 568-6820  
FAX: (504) 568-5754

----- X

IN THE MATTER OF	:	No. 14-I-812
	:	
ROBERT NEAL BARKER, M.D.	:	CONSENT ORDER
<i>Applicant</i>	:	FOR ISSUANCE OF
	:	MEDICAL LICENSE

----- X

This matter comes before the Louisiana State Board of Medical Examiners (the "Board") on the application of Robert N. Barker, M.D. for a license to practice medicine in the state of Louisiana. Dr. Barker is a 1990 graduate of Texas A&M College of Medicine. He completed internship and residency programs in anesthesiology and was board certified by the American Board of Anesthesiology in 1995. Although the physician allowed his Texas medical license to lapse, he is currently licensed to practice medicine in the state of Washington, where he last practiced anesthesiology in 2008. If he is granted a Louisiana medical license, Dr. Barker has advised the Board of his intent to resume the practice of anesthesiology in this state.

While it appears from information available to the Board, as supplied by Dr. Barker's application and otherwise that the physician is generally qualified for licensure, Dr. Barker's absence from practice would ordinarily implicate the Board's concern relative to the physician's skill and competence, and may thereby provide a basis for the denial of medical licensure, pursuant to La. Rev. Stat. §37:1285(A)(12) and (13). However, in 2012 the physician successfully passed the Special Purpose Examination (SPEX) administered under the auspices of the Federation of State Medical Boards of the United States, Inc. In addition, he is amenable to the issuance of a license on probationary status embodying certain terms and conditions until he has demonstrated to the Board's satisfaction that he is competent to practice medicine in this State.

As evidenced by his subscription to this Order Dr. Barker acknowledges the substantial accuracy of the foregoing information and that such acknowledgment and information could provide the Board with sufficient cause to deny his application to practice medicine in this state, pursuant to La. Rev. Stat. §37:1285(A)(12) and (13). Upon the information and circumstances presented, however, the Board is persuaded that the public interest will be properly protected and served by the issuance to Dr. Barker of a

license to practice medicine on probation, conditioned on the terms and conditions as set forth hereinafter. In consideration of this finding the Board has concluded that its responsibility to ensure the health, safety and welfare of the citizens of this state against the unprofessional, unqualified and unsafe practice of medicine, La. Rev. Stat. §37:1261, will be effectively served by entry of the Order set forth hereinafter by consent. By his subscription hereto, Dr. Barker hereby consents to entry of the Order set forth below and to the issuance of licensure pursuant thereto.

Recognizing his right to administrative adjudication of any potential charges that may be presented in opposition to his application, at which time Dr. Barker would be entitled to be represented by legal counsel, to call witnesses and to present evidence on his own behalf in defense or in mitigation of the charges made and to a decision thereon by the Board based upon written findings of fact and conclusions of law pursuant to La. Rev. Stat. §49:951, *et seq.*, Dr. Barker, nonetheless, hereby waives his right to formal adjudication and pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. Dr. Barker, moreover, acknowledges that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951, *et seq.*, or which he otherwise may be afforded by any law to contest his agreement to or the force and effect of this document in any court or other forum. By his subscription hereto, Dr. Barker also hereby authorizes the Investigating Officer designated by the Board with respect hereto, to present this Consent Order to the Board for its consideration and to fully disclose to and discuss with the Board the nature and results of the investigation and he waives any objection to such disclosures under La. Rev. Stat. §49:960. Dr. Barker expressly acknowledges that the disclosure of such information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer's authority to proceed with the filing and adjudication of an administrative complaint to deny his application or to the Board's capacity to adjudicate such complaint should the Board decline to approve this Consent Order. Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. Rev. Stat. §37:1285 and La. Rev. Stat. §49:955(D);

**IT IS ORDERED** that a license to practice medicine in the state of Louisiana shall be issued to Robert N. Barker, M.D. on **PROBATION**; provided, however, that the issuance of such license and Dr. Barker's continuing exercise of the rights and privileges thereunder shall be conditioned upon and subject to his acceptance of and strict compliance with the following terms and conditions:

(1) *Location of Practice.* Dr. Barker shall not engage in any form of the practice of medicine in the state of Louisiana, other than in the course and scope of his practice at a hospital, institution or other clinical setting or location as the Board, in its sole discretion, has preapproved in writing.

(2) *Reports by Monitoring Physician.* Dr. Barker's practice shall be monitored by a physician acceptable to and approved in advance by the Board, who shall periodically observe Dr. Barker's clinical practice and review such number of his patient charts as he or she may deem necessary to determine whether Dr. Barker is practicing consistently with accepted standards of medical practice. Dr. Barker shall authorize and cause his monitoring physician, not less frequently than bi-monthly (every other month), to submit to the Board written reports on his or her determinations concerning Dr. Barker's clinical and professional competency as derived from such monitoring and record review.

(3) *Probation Monitoring Fee.* Dr. Barker shall pay the Board a probation-monitoring fee of Three Hundred (\$300.00) Dollars. Payment of the initial fee shall be due not later than sixty (60) days from the effective date of this Order. Any subsequent annual payments shall be due on or before the anniversary date of the initial fee payment.

(4) *Cooperation with Board's Medical Consultant/Probation and Compliance Officer.* Dr. Barker shall immediately notify the Board's Probation and Compliance Officer of any change in his current home and professional addresses, telephone numbers and e-mail addresses and he shall direct all matters required pursuant to this Order to the attention of the Probation and Compliance Officer, with whom he shall cooperate on all matters and inquiries pertaining to his compliance with the terms of this Order.

(5) *Absence from State.* Should Dr. Barker at any time that this Order remains in effect be absent from the state of Louisiana, relocate to and/or take up residency in another state or country for a period of thirty (30) days or more, he will so advise the Board in writing. In that instance, all of the terms and conditions set forth in this Order shall be deemed interrupted and extended and shall not commence to run until Dr. Barker notifies the Board in writing that he has returned to, relocated in and/or taken up residency in the state of Louisiana.

**IT IS FURTHER ORDERED** that Dr. Barker may petition the Board for relief from the probationary status and/or any of the above terms no sooner than six (6) months from the effective date of this Order, which petition the Board may, in its sole discretion, grant or deny. As an express condition to the consideration of such petition Dr. Barker shall make a personal appearance before the Board, certify his compliance with the terms of this Order and discuss his then-current practice and future plans for practice in this state.

**IT IS FURTHER ORDERED** that any violation or failure of strict compliance with any of the terms or conditions set forth by this Order by Dr. Barker shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such action against Dr. Barker's license to practice medicine in the state of Louisiana as the Board

may deem appropriate, as if such violations were enumerated among the causes provided in La. Rev. Stat. §37:1285.

**IT IS FURTHER ORDERED** that this Consent Order shall be, and shall be deemed to be, a public record.

Signed at New Orleans, Louisiana, and effective on this 8<sup>th</sup> day of December, 2014.

**LOUISIANA STATE BOARD OF  
MEDICAL EXAMINERS**

By:



MARK H. DAWSON, M.D.

*President*

*Acknowledgement and Consent  
on Following Page*

STATE OF TEXAS  
PARISH/COUNTY OF SMITH

**ACKNOWLEDGMENT  
AND CONSENT**

I, ROBERT N. BARKER, M.D., hereby acknowledge, approve, accept and consent to  
entry of the above and foregoing Order, this 3 day of Nov, 2014.

Robert N Barker MD  
ROBERT N. BARKER, M.D.

WITNESSES:

Dawn Mayne  
Signature  
Dawn Mayne  
Typed Name  
PO Box 6352  
Address  
Tyler TX 75711  
City, State, Zip Code

Vicki Roberts  
Signature  
Vicki Roberts  
Typed Name  
210 S. Broadway Suite 200  
Address  
Tyler, TX 75703  
City, State, Zip Code

Sworn to and subscribed before me on this 3 day of November, 2014,  
in the presence of the two stated witnesses.

Emily Jordan Baker  
Notary Public (Signature and Seal)

Emily Jordan Baker  
Printed Name/Bar or Notary Number

